

REMARKS

I. Status of the Claims

Claims 1-21 were filed in the patent application were filed as a Divisonal Patent Application claiming priority from Patent Application Serial No. 09/684,737 which was filed October 10, 2000. In the first Office Action, claims 1, 11, 21, are objected to; claims 2-3 and 12-13 are rejected to under 35 U.S.C. 112; claims 1-3 and 6-21 stand rejected under 35 USC § 102 as being anticipated by *Freeman* (US Patent 6, 450,407); claims 1, 11, 21, 6-10 and 16 -20 stand rejected under 35 USC § 102 as being anticipated by Guthrie et al (US Patent 6,467,686); and claims 4-5 stand rejected under 35 USC § 102 as being unpatentable over *Freeman*. In response to the first action, Applicants canceled claims 2, 3, 9, 1 and 19, and amended claims 1, 8, 10, 13, 20 and 21. Claims 1, 4-8, 10-17, 20 and 21 remained pending.

In the second Office Action, for which this amendment is being submitted in response, independent claims 1, 11, and 21 stand rejected under 35 U.S.C. 112 as indefinite because of the use of "and/or" in the claims. Applicants cancel claims 8 and 21, amend claims 1, 4, 5, 6, 7, 10, 11, 13-17 and 20, and add new claims 22-27. Claims 1, 4-7, 10-17, 20 and 22-27 remain pending in the application.

Applicants now respectfully request reconsideration of the pending claims.

II. Applicants Independent Claims 1, 11 and 22.

In the second Office Action, Applicants were advised to contact the Examiner to discuss potential claim language related to hand held device coupling to a smart card which could advance prosecution if used in an amendment. Applicants scheduled an interview and a telephonic interview was held between Applicant Luis Ortiz and Examiner Jean D. Janvier on August 25, 2005. During the interview it was discussed that prior art of record did not teach transferring economic credits from a hand held device to a smart card subsequent redemption at a point of sale from the smart card. It was suggested that such language could advance prosecution of Applicants' claims amended consistent with the discussion.

Applicants studied the art of record and now amend independent claims 1 and 11, and add new claim 22, which Applicants believe to be consistent with Mr. Ortiz's discussion regarding potentially allowable subject matter with Examiner Jean D. Janvier during the

telephonic interview. Support can be found for the amendments and additional claims throughout the specification, and particularly in the detailed description wherein Figures 38, 39 and 40 are discussed.

Independent claims 1, 11 and 22 read as follows:

Claim 1. A method for processing negotiable economic credits, said method comprising:
providing a user a hand held device adapted to enable the user to: communicate with remote electronic devices through wireless communications networks; integrate said hand held device with smart cards; retrieve, manage and store negotiable economic credits; and transfer negotiable economic credits to smart cards; and
enabling the user to transfer at least one negotiable economic credit from said hand held device to said smart card for subsequent redemption by said user at a point of sale following the user's synchronization of said smart card device with said point of sale.

Claim 11. A system for processing negotiable economic credits, comprising a smart card adapted to synchronize with a hand held device and store negotiable economic credits transferred to said smart card from said hand held device, said smart card further adapted to be synchronized with a point of sale and to transfer economic credits to said point of sale during a purchase.

Claim 22. A method for processing negotiable economic credits, said method comprising:

providing a user a hand held device adapted to enable the user to: communicate with remote electronic devices through wireless communications networks; integrate said hand held device with smart cards; retrieve, manage and store negotiable economic credits; and transfer negotiable economic credits to smart cards;

enabling the user to wirelessly download negotiable economic credits into said hand held device from a remote negotiable economic credit source; and

enabling the user to transfer at least one negotiable economic credit from said hand held device to said smart card for subsequent redemption by said user at a point of sale following the user's synchronization of said smart card device with said point of sale.

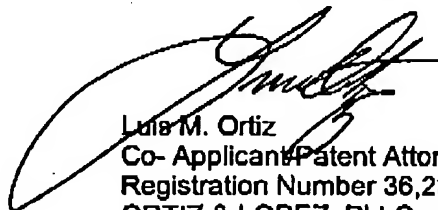
III. Conclusion

Applicant has amended independent claims 1, 11, and added new independent claim 22 in light of the telephonic interview with Examiner. Applicants believe that independent claims 1, 11 and 22, and their respective dependent claims, are in better form for allowance. It is believed that such amendments do not constitute new matter, but are rather clarifying in nature and find full support in the specification and drawings. Applicants have responded to each and every rejection of the Official Action, and respectfully request reconsideration of their claims and that a timely Notice of Allowance be issued.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned representative to conduct an interview in an effort to expedite prosecution in connection with the present application.

Respectfully submitted,

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